

## OPINION SUMMARY

### MISSOURI COURT OF APPEALS EASTERN DISTRICT

K. M. J., for Herself and as Next Friend	)	No. ED96677
of I. G. M., a Minor Child, Appellant,	)	
	)	Appeal from the Circuit Court
vs.	)	of St. Louis County
	)	
M. A. J., Respondent.	)	Filed: January 31, 2012

K.M.J. (“Mother”) appeals the dismissal of her action against M.A.J. (“Father”) for a declaration of paternity as to I.G.M. (“Child”) and an order of support and reimbursement of necessities. Mother asserts the circuit court erred in dismissing the action for lack of jurisdiction because the circuit court had subject matter jurisdiction and personal jurisdiction over the parties.

REVERSED AND REMANDED.

Division Three holds: The circuit court erred in dismissing Mother’s action for lack of jurisdiction because the circuit court had subject matter jurisdiction over the case and personal jurisdiction over the parties. Pursuant to J.C.W. ex rel. Webb v. Wyciskalla, 275 S.W.3d 249, 254 (Mo. banc 2009), the circuit court has subject matter jurisdiction over all civil cases and this is a civil case. As to personal jurisdiction, by filing her action in the circuit court, Mother consented to its jurisdiction over her. In addition, pursuant to Section 210.829.2, RSMo 2000, Father has submitted to personal jurisdiction by the courts of the State of Missouri, in particular the circuit court, by engaging in sexual intercourse in the State with a child resulting from that act of intercourse. Finally, we find that because Section 210.829.4, RSMo 2000, does not provide a venue choice under the particular facts of this case, application of the general venue statute in Section 508.010.2(4), RSMo Cum. Supp. 2010, is appropriate. Thus, the circuit court is a proper venue for Mother to bring her action.

Opinion by: Robert G. Dowd, Jr., P.J.  
Mary K. Hoff, J. and Sherri B. Sullivan, J., concur.

Attorney for Appellant:

Mary Elizabeth Davidson

Attorney for Respondent:

Michael L. Schechter

<p><b>THIS SUMMARY IS NOT PART OF THE OPINION OF THE COURT. IT HAS BEEN PREPARED FOR THE CONVENIENCE OF THE READER AND SHOULD NOT BE QUOTED OR CITED.</b></p>
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